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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined fourth and fifth periodic reports of Maldives

Addendum

Replies of Maldives**

[Date received: 13 February 2015]

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** The present document is being issued without formal editing.

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Reservation

Reply to the issue raised in paragraph 1 of the list of issues

1. The Government has conducted research and consultations with relevant Stakeholders and Civil Society to review the reservations to Article 16 (1) a, b, e, j and h and also to 16 (2) of the Convention. A cabinet discussion paper on the removal of the reservation to Article 16 is expected to be submitted for approval in the first quarter of 2015.

Constitutional and legislative framework

Reply to the issue raised in paragraph 2 of the list of issues

2. Protection of the rights of women is a key priority of the Government of President Yaameen. The Government's two key policy priorities include: the empowerment of women and zero tolerance for violence against women. In addition, the Government's pledges are: eliminating barriers for women to join the work force; fostering opportunities for women's participation in political sphere; enhancing economic empowerment of women; adopting zero tolerance to violence and harassment against women through the enactment of relevant legal instruments; protecting families from experiencing negative consequences from divorce; and, ensuring equal distribution of matrimonial property after divorce.

3. The new constitution which was adopted in 2008 further guarantees everyone the same rights and freedoms and upholds the principles of equality and non-discrimination. The new constitution also removed the former constitutional bar that prevented women from contesting for the highest political office. This ensures the women's right to vote in all elections and to be eligible to all publicly elected posts.

4. In order to bring the relevant legislations on non-discrimination and gender equality more in line with the Maldives' obligations under international human rights law, the Government is in the process of finalizing a draft Gender Equality Bill (GEL). The key objective of GEL is to operationalize the Constitutional prohibition of discrimination of women, promote the use of Temporary Special Measures or "special assistance or protection to disadvantaged individuals or groups" and outlawing any form of violation of women's rights. The bill is currently being reviewed by the Attorney General's Office.

5. There has been key policy and legislative reform in the domestic framework which facilitates equal rights for women. All legislation such as the Employment Act and the Civil Service Act have subsequently been made compatible with the constitution, thereby providing equal socioeconomic services and benefits, as well as equal access to economic and political participation.

6. The new penal code which was enacted in 2014 and which will be enforced in April 2015 comprehensively defines all crimes including that of rape. Specific legislations for the protection of women has also been formulated and ratified, such as the Domestic Violence Prevention Act in 2012, Sexual Harassment and Abuse Prevention Act 2014 and the Sexual Offences Act in 2014. The strengthening of criminal justice system is a major achievement as it has enabled women to seek legal remedies for violations of their rights.

7. The Domestic Violence Prevention Act provides legal provisions to protect victims from domestic abuse through protective orders and improved monitoring mechanisms.

8. On the reforms of legislative and judiciary and gender justice, the Criminal Procedure Code, the Evidence Bill, the Legal Aid Bill, the Juvenile Justice bill and the Judicature Bill are pending in the Parliament. Advocacy programmes and gender based review on these bills which are vital for the proper functioning of the justice system will be conducted in 2015. Furthermore, the Government is planning to conduct a gender based review of the Family Law in 2015.

9. A number of education and training programmes have been conducted for the judiciary under the Domestic Violence Prevention Act. These programmes were conducted by the Judicial Administration. Eight separate programs were held since the ratification of the Act with participants ranging from magistrates, judges to appellate court justices. Awareness and training were focused on gender sensitive legislations and promotion of women's human rights. Training programs were conducted to all prosecutors over the last few years to provide them with the knowledge of gender equality and to disseminate the contents of the convention to the general public. Trainings focused on effective prosecution of gender based violence and sexual abuse case. Sensitizing training session on domestic violence Prevention Act was held in 2013, gender equality and women's rights sessions in 2013, and sensitizing programme on CEDAW was also held in January 2014.

10. In addition Ministry of Law and Gender has also launched an advocacy campaign to ensure that the two key policy priority of the Government are met by the end of the five year term. In this regard, gender sensitization programmes have been conducted in Male' and five atolls in 2014 for a total of 410 participants. Further, programmes including a symposium and skills training on economic opportunities for women was conducted in Male' and five atolls for a total of 125 participants in 2014.

Reply to the issue raised in paragraph 3 of the list of issues

11. The Government has endorsed a 3 point policy on gender equality and non-discrimination outlined in the Strategic Action Plan (SAP) 2013-2016 that serves as the medium term national development plan. This is endorsed with a view to ensure comprehensive capacity development on the substantive gender equality framework as well as to make the legislative drafting process responsive to gender laws. Advocacy and training sessions on recently adopted legislations such as Anti-trafficking Act, Sexual Offences Act, Sexual Harassment and Abuse Prevention Act and the Domestic Violence Prevention Act were conducted by Ministry of Law and Gender in collaboration with the civil society organizations in Male' and other atolls.

12. Under the Domestic Violence Prevention Act, a Domestic Violence Prevention National Strategy (2014 — 2016) has been formulated, endorsed and disseminated to relevant stakeholders for implementation. A monitoring and evaluation tool to measure the progress of the implementation of the National Strategy is currently being developed. The purpose of the National Strategy is to facilitate the implementation of the Domestic Violence Prevention Act.

13. The Anti-Trafficking Act was enacted in December 2013 and the 14 member oversight committee was constituted by the President on 12 December 2013. The committee consists of members from the Government, Judiciary, and the civil society. The primary role of the Committee is to determine the national programme against human trafficking and to steer its policies and agenda to this effect. The committee has already commenced its work on finalizing the National Guidelines and standard operating procedures for identification and assistance to victims of human trafficking. The National Guideline will provide stakeholders and partners in the Maldives in victim assistance with a standardized approach that will ensure assistance to victims according to international standards, taking into consideration their basic human rights. A National Action plan is already drawn up by the oversight committee which is expected to be endorsed in early 2015.

14. A Cabinet paper on proposing possible models for the implementation of quotas in decision making levels in Maldives, for discussion and approval from the Cabinet had been developed and is ready to be submitted to the Cabinet for approval.

15. The Sexual Harassment and Abuse Prevention Act which was passed into Law in May 2014 and mandates those agencies with more than 30 staff to form a committee to look into the sexual harassment issues in that agency. The Law also mandates any individual to lodge complains at the Employment Tribunal if any organization does not constitute this committee after six months of enactment of the Law. The Civil Service Commission has launched training and advocacy programs to inform employees how the law functions. As women are generally more vulnerable to sexual harassment, this act would afford them the required protection and empower them at the workplace.

16. Under the Sexual Offences Act, the Family Protection Authority (FPA) is mandated to provide psychosocial counselling to survivors of sexual offences and also to formulate and establish Sex offenders Registry. FPA is in the process of developing a concept note for the Sex Offenders Registry. However, due to budgetary constraints psychosocial counselling for survivors is currently referred to the Ministry of Law and Gender.

National machinery for the advancement of women

Reply to the issue raised in paragraph 4 of the list of issues

17. The National Machinery for Advancement of Women of the State has been shifting in status and continues to be redefined and realigned from one entity to another, but it has always remained in existence. Before 2008, it was under Ministry of Gender and Family. After 2008 up to May 2012, it stood as a Department of Gender and Family Protection Service (DGFPS) under the Ministry of Health and Family. In 2012, a new Ministry of Gender, Family and Human Rights was formed. However, when the current Government assumed office in November 2013, it was again stated under the Ministry of Health and Gender. In July 2014, Ministry of Law and Gender was formed and started functioning as a Ministry with the mandate to implement the two main policies of the Government on gender equality and women's empowerment. Ministry of Law and Gender has a total of 70 approved staff positions. As for the budget the approved budget this year amounts to a total of 32,607,577.00/- MRF.

18. In order to strengthen gender mainstreaming initiatives, Gender and Human Rights focal points was appointed in all Government agencies in September 2014. Training exercise for all gender focal points was conducted in January 2015.

Temporary special measures

Reply to the issue raised in paragraph 5 of the list of issues

19. Despite the quota being submitted to the Parliament by the Government, the Political Parties Act 2013 (Act No.: 4/2013) came into existence in 2013 without any gender specific quotas aimed at introducing special temporary measures to accelerate the de facto equality between men and women. Currently the Political Parties Act 2013 is amongst the many election related legislation that are being revised following extensive exercise to better consolidate the democratic system in the country. The Government proposes the reintroduction of these measures in the revisionary exercise envisioned in 2015.

20. Flexible working hours have been introduced providing the option for pregnant women and women with children under the age of three to apply to work from home through standardized procedures. In addition amendments to the *Civil Service Regulations* in 2014 now allows for a total of 60 days, excluding public holidays and weekends, as maternity leave. The Maldives Monetary Authority (Central Bank) has also recently set in procedures allowing for six-month maternity leave.

21. In order to strengthen the livelihood initiative for home based workers in the Maldives, especially women, a project named SABAH project is being implemented at country level in the Maldives. The project is coordinated by the Ministry of Economic Development with a shareholding of 40 per cent by Maldivian Home Based workers and 60 per cent by the Government. One of the main objectives of the project is to strengthen livelihoods of home based workers, especially women by facilitating opportunity to earn a sustainable income from their products. SABAH Maldives collaborate with local cooperatives to support and showcase the products of Home Based Workers in the market. Through implementation of this project it has also provided capacity building and trainings in areas such as food processing, handicrafts training to management trainings to soft skills. To date membership for this project has reached to 914 members throughout the Maldives and 73 members have been trained from abroad.

22. His Excellency President Yameen Abdul Gayoom, in his speech on the occasion of International Women's Day announced that he will ensure that the composition of public company board of directors will have at least two women. Capital Market Development Authority (CMDA) has amended the Corporate Governance Code in 2014 and mandated all Board of Directors to hold a minimum of two female members. The authority has targeted to fulfil 33 per cent of female representation in the sector by the end of 2016. CMDA has publicly announced for those interested to be elected as board members to be registered under CMDA. Currently, 13 out of 59 Board Members of companies with government shares are women.

Stereotypes and harmful practices

Reply to the issue raised in paragraph 6 of the list of issues

23. In October 2014, the Attorney General's Office made a strong public announcement reiterating the enforcement of relevant legislations and appropriate safeguards to promote and protect the rights of children, girls and women from practices of under-aged or forced marriages, non-vaccination of infants and deprivation of school enrolment of girls and children. Effective implementation of existing laws such as the Family Law 4/2000, Child Protection Act 9/1991, public health Act 7/2012, religious unity Act 6/1994 has remained a challenge to the Government.

24. The current draft bill on gender equality ensures prevention of discrimination based on gender and further takes measures to promote gender equality and prohibit gender discrimination.

Violence against women

Reply to the issue raised in paragraph 7 of the list of issues

25. According to information provided, in 2012 there were 63 cases of physical abuse on women reported to the Maldives Police Service. In 2013 there were 96 cases reported and in 2014 the number of cases reported for physical abuse on women were to 117. In 2012 cases reported for sexual abuse was 3 and in 2013 there was only 2 cases reported and in 2014 one case of sexual abuse on women was reported. Furthermore, in total there are only 4 cases of other sexual offenses reported from 2012 to 2014.

26. The Sexual Offences Act which was enacted in May 2014 explicitly defines and criminalizes acts of sexual abuse such as rape, sexual violence and sexual abuse. It also creates the offences of incitement, aiding and abetting or actual commission of prostitution, harbouring of persons for the purpose of prostitution, transfer or transportation of persons with the intention of prostituting them or with the knowledge that such persons would be prostituted. These provisions are well aligned with the provisions of Article 6 of the Convention.

27. While Sexual Offences Act 2014 does not categorically criminalize marital rape, it allowed for four circumstances of unacceptable sexual relations between the spouses hence for the first time marital rape was identified in a law in the Maldives. These circumstances include: (i) while a case for dissolution of the marriage is in a court, (ii) while the divorce is pending in a court, (iii) sexual intercourse to intentionally transmit a communicable disease, and (iv) during a mutually agreed separation (without pending divorce proceedings). Section 47 of the Act mandates to establish and maintain a Sex Offenders Registry for the offences stated in this Act.

28. With regard to violence against women in the criminal justice, there have been no reported cases of flogging as a form of punishment in cases where an unmarried couple was found to be cohabiting. The new penal code, which was ratified in 2014, brings monumental reforms to the criminal justice system by comprehensively codifying all crimes (including rape) and setting out the corresponding sentencing guidelines. The new penal code will come into force in April 2015.

Reply to the issue raised in paragraph 8 of the list of issues

29. The Domestic Violence Prevention Act (DVP) (3/2012), was enacted in April 2012, marking a landmark event in the history of the Maldives where any act of domestic violence such as physical, sexual and psychological neglect and discrimination, economic/financial violence is clearly and categorically identified as a criminal offense. The Family Protection Authority (FPA) was established under the DVP Act in September 2012 with the mandate to combat domestic violence in the Maldives. In order to bring the comprehensive support for the prevention, protection and access to justice for domestic violence victims mandatory by law under a national policy and to implement such policies, FPA initiated the preparation of the Domestic Violence Prevention National Strategy (DVPNS) for the Maldives. In this regard, a service mapping related to available services for domestic violence survivors has been undertaken by FPA. Domestic Violence Prevention National Strategy (2014-2016) has been formulated, endorsed and disseminated to relevant stakeholders for implementation. A monitoring and evaluation tool to measure the progress of the implementation of the National Strategy is currently being developed. The purpose of the National Strategy is to facilitate the implementation of the Domestic Violence Prevention Act. Since the enactment of the Law a total of 24 workshops have been conducted to stakeholders in Male' and atolls and to the general public in providing information about the Law and the rights guaranteed under the law.

30. Commentary on the (DVP Act) has been developed by the Family Protection Authority after consulting all the relevant stakeholders. The purpose of the commentary is to standardize the interpretations of key clauses and concepts in the DVP Act across all stakeholders. A training manual on conduction training on Domestic Violence and Prevention Act has been developed and piloted. In addition, a copy of Domestic Violence Prevention Act has been disseminated to all the Atolls including all Magistrate Courts.

31. Survivors, family members, friends or anyone witness to domestic violence can lodge complains to Family Protection Authority (FPA) anonymously or otherwise through phone, e-mail, Facebook messaging, through FPA website, fax or in person. FPA has established a reporting and referral mechanisms for domestic violence cases in collaboration with the Ministry of Law and Gender and Maldives Police Service.

32. Training package on DVP Act targeting law enforcement agencies, judiciary and service providers is currently being developed. As mandated by the Domestic Violence Prevention Act, FPA has undertaken sessions on the Act and role of FPA at training programs conducted by stakeholders.

33. Public awareness on DVP Act and DV related issues and concerns has been undertaken both in Male' and Atolls through media (written, broadcasters and social media), stalls and campaigns. A monitoring mechanism to collect and analyse statistics on domestic violence cases at a national level is in the process of development.

34. Five safe homes have been established in Maldives for victims of Gender Based Violence and Domestic Violence five safe homes. They are established in the islands of Hdh. Kulhudhuffushi, Th. Veymandoo, Sh. Fonadhoo, Gdh. Thinadhoo and Villingili.

35. Total of 27 (25 from family court and 2 from magistrate court) protection orders have been issued so far after the ratification of Domestic Violence Prevention Act. Since the implementation of DV act, one case of violation of Protection order was sent to Prosecutor General's Office.

36. The percentage of Domestic Violence cases prosecuted in the year 2012 is 87.7 per cent and in 2013, 76.4 per cent cases was prosecuted. The percentage of cases convicted in 2012 is 25.6 per cent and in 2013 is 23.8 per cent. A Witness Assistance Unit of PGO was established in the year 2012, and it provides the necessary support needed for the victims of Domestic Violence during the prosecution and court stage.

37. The Prevention of Sexual Abuse and Harassment Act 2014 (Act No.: 17/2014) lays down a mechanism for prevention of sexual harassment and sexual abuse in the workplace. Under the Act, employers are required to put in place anti-sexual harassment policies, and to provide a mechanism for review and redress of complaints internally. If the internal committee finds an employee guilty of sexual harassment following an inquiry, it will be empowered to advise the offender verbally or in writing, suspend him, demote him, or dismiss him based on the severity of the offence. The Act also determines the mandate of the Employment Tribunal in matters of sexual harassment.

38. Female migrant domestic workers have the same access to the same protection, remedies and facilities for domestic abuse as Maldivian women without any legal barriers. However, there may be some issues for them to obtain the required help due to practical issues such as language barriers.

Trafficking and exploitation of prostitution

Reply to the issue raised in paragraph 9 of the list of issues

39. President Abdulla Yameen Abdul Gayoom ratified the Anti-Human Trafficking Act on 8 December 2013. As per international best practice the legislation includes the three main components of criminalization, prevention and rehabilitation of victims. Therefore, for the first time the law makes trafficking in persons a criminal offence within the Maldivian legal system. The law also criminalizes forced labour and fraudulent recruitment as acts of human trafficking. The legislations also focus on the plight of victims of trafficking and stipulate measures to ensure their protection and reintegration. It also stipulates harsher punishments for perpetrators of trafficking offence the penalties for which goes up to 10-15 years of imprisonment. Article 60 (a) of the Anti-Trafficking Act further requires the President to establish an oversight committee to combat anti human trafficking issues in the country. The 14 member committee which was constituted by the President on 12 December 2013 consists of members from the Government, Judiciary, and the civil society.

40. The primary role of the Committee is to determine the national programme against human trafficking and to steer its policies and agenda to this effect. The *Committee will coordinate all inter-agency* work and engage with national and foreign NGOs to ensure that the legislation is given true meaning at the grassroots level.

41. Given that the Ministry of Gender, Family and Human Rights was mandated for anti-trafficking and victims support in the middle of fiscal year 2012, the

limitations of finances and other available resources, the Ministry decided that trafficking victims will share the facility designated for domestic violence victims. To this effect a separate floor of the Domestic Violence victim's shelter in Villingili was designated as a Shelter for Female Trafficking Victims in 2012.

42. However, the formal operationalization of the shelter remains a challenge due to resource constraints. The Government Oversight Committee which was constituted after the enactment of the anti-trafficking legislation in 2013 is currently finalizing the draft Anti Human Trafficking National Action Plan which will be endorsed by the Committee in early 2015. The National Action Plan also includes establishing a separate safe shelter for victims of trafficking. According to information received two cases have been prosecuted since the enactment of the Anti-Trafficking legislation and both the cases is currently ongoing at the Criminal Court.

Reply to the issue raised in paragraph 10 of the list of issues

43. The committee constituted by the President under the Anti-Trafficking Law coordinates and steers efforts in combatting trafficking in the country. The Committee which was initially chaired by the Ministry of Youth and Sports started functioning on the second week of January 2014. Due to a change in the mandate of the Ministry of Youth and Sports the mandate of Trafficking now falls under the Ministry of Economic Development, hence the committee work is carried now under the chair of the Ministry of Economic Development. The Committee is expected to endorse the National Action Plan on Anti Human Trafficking and the Guidelines for assisting victims of trafficking and Standard operating Procedures during the first quarter of 2015.

44. According to the Family Court and the Registrar of Marriages, 23 minors contracted legal marriages in 2012, followed by 14 minors in 2013 and 16 minors in 2014. However the Family Court confirms that all such minors had been seventeen years of age, and were calculated to be eighteen following the Muslim (lunar) calendar. Efforts are also made to collect data on unregistered marriages including child unregistered marriages in the Maldives.

Participation in political and public life

Reply to the issue raised in paragraph 11 of the list of issues

45. A quota paper is being compiled by the Government to be submitted to cabinet on establishing a quota system for all elected posts. Island Women's Development Committees have been reinstated as elected bodies in 2012.

46. Women comprise only 7 per cent of Parliamentarians, 15 per cent in the Cabinet, 14 per cent among State Ministers, 15 per cent among Deputy Ministers, 6 per cent in the Local Councils, 3 per cent among Judges and 26 per cent among Corporate Representation (women on boards). Nevertheless women hold important posts in the Government and other institutions. The current Governor and Vice Governor of the Maldives Monetary Authority (Central Bank) are both women; the President of the Human Rights Commission of the Maldives is also a woman; the Police Integrity Commission is also headed by a woman and there is gender parity amongst members of the Civil Service Commission.

47. Since the first attempt to include the temporary special measures failed at the legislature's stage, the Government proposes the reintroduction of these temporary measures to be included in the revisionary exercise envisioned this year which will be presented to the legislature in relevant packages. The Government is hopeful that such efforts would be completed in time for the next earliest general election in the Maldives, i.e. in December 2016.

Nationality

Reply to the issue raised in paragraph 12 of the list of issues

48. The Maldives is a 100 per cent Muslim country. The Constitution designates Islam as the official State religion and the law stipulates that a non-Muslim may not become a citizen of the Maldives. The law does not provide for freedom of religion; the practice, in public, of other faiths; the building of places of worship of other religions; or the import of religious icons. Notwithstanding, non-Muslim foreign residents are allowed to practice other religions privately. Furthermore, article 17 of the constitution stipulates that rights and freedoms are guaranteed for everyone without discrimination of any kind, including race, national origin colour, sex, age, mental or physical disability, political or other opinion, property, birth or other status or native island.

Education

Reply to the issue raised in paragraph 13 of the list of issues

49. The draft Gender Equality law promotes for equality between women and men within society by portraying an egalitarian, plural and non-stereotyped image of women and men in society. Furthermore it also stipulates promotion of equal opportunities for boys and girls in accessing and benefitting from education, training, learning and acquisition of skills and knowledge and benefit from scientific and technological studies, inventions and innovations. Schools, educational institutions and all private and public bodies offering or conducting educational or vocational training programmes. It also promote gender equality and women's enrolment and prohibit gender discrimination.

50. The higher education in the Maldives has seen considerable positive change over the last seven years. The number of courses to offer has increased to include courses ranging from Marine Biology to Multimedia and Advertising. Further, new faculties such as the Science Faculty and the Research Faculty were introduced in 2014 in the Maldives National University. Looking at courses on offer, there are a total of 15,157 students studying in different higher education Institutions in the Maldives in 2013. Out of which, 58.9 per cent students were female students. Equal opportunity of enrolment is standard policy practice. There was a total of 895 full time staff working in these institutes in 2013, out of which 46 per cent were female. Out of a total of 1,070 part-time staff, working in these institutes, 35 per cent staff was female.

Reply to the issue raised in paragraph 14 of the list of issues

51. As of 2013 School Statistics, the number of pre-primary teachers is 1,164 and there are 833 trained preschool teachers, making percentage of trained preprimary teachers to be 71.56. The total number of teachers for primary grades is 3,411 with

3,074 being trained to teach in these grades. The percentage of teachers trained for primary school is 90.12 per cent. In secondary schools, there are 3,048 teachers, out of which 3,048 teachers are training, thus making it 98.93 per cent of secondary teachers be trained. For higher secondary, the total number of teachers is 567, with 558 of them being trained. Thus, 98.41 per cent of higher secondary teachers are trained. Translating the figures for the education system for all levels there are a total of 8,223 teachers in the country with 7,513 of them being trained, and making 91.37 per cent of the teachers in the country to be trained.

52. Considering women's role in decision making level, there are no specific barriers preventing women from entering into decision making posts. Thus the number of female representatives in senior management level is quite high. Out of 191 posts the number of women representation in senior management post is 111, which amounts to a total percentage of 58.12 per cent.

53. Looking into topics and chapters of text book, yearly review of text books are being conducted by the Ministry of Education to ensure if there are any Gender Sensitive issue or to make sure sensitivity of topics that are being taught with in the curriculum.

54. Furthermore age appropriate education on sexual and reproductive health and rights is integrated in various subjects of the curriculum and is taught through life skills and has a cross curriculum approach in these areas while schools are forming human rights club in liaison with Human Rights Commission of the Maldives. A new curriculum is being implemented in the public school system across the country in 2015. A key feature of this new curriculum is the acknowledgement and integration of life-skills education across the curriculum.

55. The school system does not have any restriction on entry and re-entry to schools for children below the age of 18 provided they are not married. The school works very closely with parents and communities for those girls who prefer to get educated out of schools for various different reasons.

56. Gender parity has been achieved in literacy rates, enrolment, and attainments at primary, secondary, and tertiary levels. Girl children are in fact the majority high achievers in both primary and secondary education. In secondary education the best 10 students of the year 2012, comprised of 256 girls and 171 boys. In tertiary education, graduates of 2014 March batch comprised of 70.6 per cent girls out of 826 students, and 2014 August batch comprised of 68.8 per cent girls out of 369 students. In addition Technical and Vocational Education and Training Authority provides technical and vocational education and training services to meet the current labour market demands, industrial/commercial stakeholders training requirements and personal development needs. In this regard in 2013, a total 129 participated in the such programmes out of which 13.2 per cent comprised of females, while in 2014 out of 259 14.3 per cent comprised of females and in 2015, out of 628, 67.2 per cent comprised of females.

Employment

Reply to the issue raised in paragraph 15 of the list of issues

57. According to the Household Income Expenditure Study (HIES, 2012), labour force participation of women is 45 per cent. However, 38 per cent of women are working in the formal sector. The largest employer in the formal sector is the Civil

Service. 53 per cent of women representing the Civil Service out of which only 15 per cent earn above US$ 972 (MVR 15,000/-). However, percentage of women registered in the pension scheme in 2012 is only 30 per cent. In the informal sector 68 per cent of women are into small scale businesses which are run without loans. According to the Household Income Expenditure Survey 2009/2010 (HIES) women's representation in Education sector in 2010 is 73 per cent while women's representation in health and social work is 72 per cent. Though, women's representation in health and education sector is high and stereotypical, women have moved into different areas of work such as diving, photography, civil engineering, and air traffic controllers.

58. Further, despite the rapid growth of female labour force participation, the female unemployment rate continues to be almost three times higher than males. The unemployment rate for female adults in 2009 was three times that of males (23.68 per cent and 7.9 per cent respectively). (Source: Women in Public Life in the Maldives 2011.)

59. The gap between women's earnings and men's varies across occupations. The biggest wage gap is in skilled agricultural and fishery workers, where women earn only 40 Laari for every Rufiyaa earned by men. This may be explained by the fact that the agriculture sector (dominated by women) produces mainly for family consumption with few surpluses for the domestic market, whereas the fisheries sector (dominated by men) produces mainly for export, and thus has bigger earnings.

60. Ministry of Tourism in their Fourth Tourism Master Plan (2013-2017) has highlighted inclusive development, under factors impacting women's participation in tourism as a key principle and will explore the economic opportunities created by tourism for women, especially poorer and normally unreached women. According to this Master Plan three strategic directions are proposed to include women in the tourism sector and in tourism-related sectors. The achievement of these will provide a positive experience and climate to build on the next levels of participation and contribution by women in developing career paths for women in the tourism sector, facilitating entrepreneurship among women in the tourism sector and making women feel safe and be safe at home and at work in tourism.

61. In order to strengthen livelihood of home based women workers, a project named SAARC business association for home based workers (SABAH) project was implemented at country level under the direction of the Ministry of Economic Development. SABAH Maldives is profit cooperative society registered in the Maldives with a shareholding of 40 per cent by Maldivian Home-based workers and 60 per cent by the Government of the Maldives.

62. Even though the Government holds 60 per cent shares of this cooperative, along the course of the project as the Membership base gets more stable the Government share will be decreased and the Members' share will be increased until it is 100 per cent owned by the Members. With this outcome, SABAH Maldives works to provide sustainability, continuous prospect for the Members to explore new opportunities and empower them towards become successful entrepreneurs in the cooperate sector.

63. Department of Immigration and Emigration on various occasion issued directives to take measures to those employers who withhold the passport/travel document of migrant workers.

Reply to the issue raised in paragraph 16 of the list of issues

64. As the primary caregivers in Maldivian society, taking care of children, elderly and people with special needs proves to be a key barrier, for women to participate equally in the formal workforce. The Government has recognized that an environment that caters to these needs must be established in order to enable more women to join public and private sectors and continue employment at the same capacity as their male counterparts.

65. One of the most important measures taken by the Government of Maldives is the introduction of flexible working hours in the Civil Service System. This provides the option for pregnant women and women with children under the age of three to apply to work from home through standardized procedures. This change could enable more women to continue to work even while pregnant or while looking after their children, which could otherwise put them at a disadvantage compared to men.

66. In order to standardize the Day Care Service Facilities available, guidelines have been endorsed by the Government. The objective is to remove barriers for mothers with young children to be in formal employment. Further, in order to make these services more accessible for average working women, the Government is considering amending the Goods and Services Tax Act to exempt Goods and Services Tax (GST) services from Day Care centres and Social Service Centres.

67. In addition to establishment of day care centres and introduction of Flexible work hours, Government has also enacted the "Sexual Harassment and Abuse Prevention Act" in 2014 which addresses the issue of workplace sexual harassment. This Act mandates those agencies with more than 30 staff to form a committee to look into the sexual harassment issues in that agency.

Health

Reply to the issue raised in paragraph 17 of the list of issues

68. The National Family Planning guideline states that 'All clients have the right to receive services from Family Planning Program regardless of their social status, economic status, economic situation, ethnic origin, geographical location or any other characteristics which may place individuals in certain groups.' This means the right of access through various health-care providers as well as other service delivery systems. Family Planning programs should take necessary steps to ensure that services will reach to all eligible individuals who need them, even those for whom the normal health services are not easily accessible'.

69. The National Family Planning programme is designed in such a way that a range of contraceptives are available in all islands. The Reproductive Health Unit of the Health Protection Agency procures and distributes contraceptives to all atolls. In accordance to the national logistic guideline for management of contraceptives, the Atoll health facilities manage logistics of contraceptives at atoll level. A continuous coordination mechanism exists to ensure proper management of contraceptive logistic at all levels of the country.

70. The public Health Unit attached to each health facility both at atoll and island level provides services such as family planning counselling, and provides contraceptives by choice. The National Family planning guideline does not specify that the services will be provided only for married couples; however, practice is that the services are commonly provided to married couples only. There are also cases where contraceptives have been provided to vulnerable clients if and when required.

71. Some of the contraceptive methods such as pills and condoms are available in pharmacies and other outlets. Condom is not included in the essential drug list and hence does not require a prescription to purchase.

72. Programs are conducted to provide information on Reproductive and maternal health including family planning to unmarried youths and young adults. Recently standards have been developed to provide adolescent friendly health services and preparatory work is ongoing to establish Adolescent Friendly Health Services.

73. No study has yet been conducted to identify prevalence of unsafe and clandestine abortion in the Maldives hence an accurate figure cannot be provided. But, unmarried clients reporting with severe bleeding during the first trimester has been recorded which may suggest induced abortion but no confirmation on the latter has ever been made.

74. Permission for medical termination of pregnancy for thalassemia major, sickle cell major, multiple congenital anomalies and maternal life threatening conditions were given on 8 November 1999 and later on permission for medical termination of pregnancy within 120 days of conception for pregnancies resulting from rape by an immediate family member, rape of a child who is physically and mentally not fit to get pregnant and deliver were given by the 'Islamic Fig'h Academy' on 11 December 2013.

Reply to the issue raised in paragraph 18 of the list of issues

75. Maldives has a low prevalence of HIV — less than 0.1 per cent, and HIV prevalence has been sustained since 1989; Considering the low prevalence, the national response focuses on prevention among key populations at risk, including people who inject drugs, sex workers, males who have sex with males; and other vulnerable population including prisoners, youth and migrant workers. The recently launched National Strategic Plan on HIV and AIDS 2014-2018 details out policies and strategies to guide the national response.

76. Prevention programs implemented through community-based organizations and NGOs working with some key populations (including SHE, Journey). These NGOs carry out targeted interventions for key populations such as drug users, unskilled migrant population, female sex workers. Health personnel in areas identified to have greater number of key/high-risk populations are being trained for identifying and carrying out behavioural change interventions within these groups. The package of services include voluntary testing and counselling, behaviour change interventions targeting risk behaviours, access to prevention commodities and referral service, through the drop in centres and outreach services.

77. Trained peer outreach workers also conduct programs in the community, targeting hard to reach key populations such as IV drug users and female sex workers. The programs are monitored and coordinated by the national HIV prevention program. Although there are very few CBO's and NGOs they carry out

targeted interventions for key populations such as drug users, unskilled migrant population, female sex workers. Services include voluntary testing and counselling, HIV prevention awareness and behaviour change interventions targeting risk behaviours.

78. The interventions are prioritized according to areas identified through data collected from key populations using Biological and Behavioural Surveys and mapping exercises' carried out to identify and characterize the key populations at risk of HIV in the country.

Rural women

Reply to the issue raised in paragraph 19 of the list of issues

79. Since Women's Development Committees (WDC) in each island has been formed in 1982, they have played a major role in the development of women in the island. In 2008 WDC were dissolved and re-elected as an advisory board to the island council. One of the main key functions of the WDC is to advise and guide the island councils to develop gender sensitized island plans and also to plan activities for the empowerment of women. Efforts are being made to increase the capacity of WDC's to address on gender equality and women's human rights issues and also to increase their knowledge on gender mainstreaming.

Marriage and family relations

Reply to the issue raised in paragraph 20 of the list of issues

80. A key pledge of the Yameen Administration is to prevent families from experiencing negative consequences from divorce; and, ensuring equal distribution of matrimonial property after divorce. The Ministry of Law and Gender has begun a nationwide awareness programme to inform women about the protective legal instruments that has been stated in Family Law, Domestic Violence Prevention Act, Sexual Harassment and Prevention Act and Sexual Offences Act.

81. The Ministry has also initiated programmes on creating awareness among youth on the prenuptial agreement that can be drawn between a woman and man at the time of marriage to ensure that families are protected at the time of divorce and to also ensure that matrimonial properties are distributed equally after divorce.

82. The Ministry of Law and Gender is also planning to introduce family counselling services. These services will be provided in the Family and Children Service Centres in the 19 Atolls.

83. The law currently does not provide exceptions for Maldivian women to marry non-Muslim men. However, women now have the ability to apply for a divorce in court, and the divorce is granted depending on the factual circumstances surrounding the application. There are currently no measures which are being taken to prohibited polygamy.

Reply to the issue raised in paragraph 21 of the list of issues

84. The Government will consider towards accepting the amendment proposed to article 20, paragraph 1, of the Convention during 2015.